

REMARKS

Claims 14 to 21 are in the case. Claims 1 to 13 were canceled without prejudice. New claims 14 to 21 were added to advance the prosecution of the subject application. In addition, the disclosure and the abstract were amended to improve their syntax. No new matter was added. Reconsideration of the subject application in view of the above amendments and the following remarks is respectfully requested.

With respect to the claim of priority to applicants' previously filed international patent application no. PCT/JP99/05512 filed October 6, 1999, applicants respectfully submit under a separate letter a "Petition to Accept Delayed Claim of Priority" to the above PCT patent application. Applicants respectfully request that such Petition be granted. In addition, a certified copy of the priority Japanese Application 10-284,450 filed October 6, 1998 will be timely submitted to the Office during the pendency of the subject application.

The drawings were objected to for reasons set forth on pages 3 and 4 of the Office action. Applicants respectfully traverse such objection based on the following remarks.

Applicants respectfully submit that Fig. 5 and the disclosures on pages 3 and 4 of the specification describe the present invention conjunctionally. Fig. 5 is a block diagram of an exemplary circuit construction of signal spectrum signal processing of the present invention. For example, Fig. 5 shows the delay elements $DL_1 - DL_{15}$ are connected in cascade. The disclosures at issue describe an exemplary circuit construction (*e.g.*, on page 28, lines 5 - 6 and lines 16 - 17) as well as the operation of an exemplary embodiment of the present invention (*e.g.*, on page 28, lines 11 - 14 and 18 - 19). There is no inconsistency between the drawings and the detailed description on pages 28 and 29 of the specification. Accordingly, applicants respectfully submit that the subject objection is overcome and request that the Examiner withdraw the same.

The specification was objected to for reasons set forth on pages 4 and 6 of the Office action. In response, applicants wish to thank the examiner for pointing out the informalities in the abstract and the disclosure as filed, which informalities are believed to have been addressed in applicants' amendments to the abstract and the disclosure. Therefore, applicants respectfully submit that the subject objection is overcome and request that the Examiner withdraw the same.

The claims were objected to for reasons set forth on page 6 of the Office action. In response, applicants wish to thank the examiner for pointing out the informalities in claims 8, 10, and 13. New claims 14 to 21 were drafted to carefully avoid similar informalities.

However, applicants respectfully disagree with the Examiner's comments in relation to claim 4. Claim 4 recites a signal spectrum signal processing apparatus of the present invention. As is illustrated in Fig. 5, for example, an output of the correlator is coupled to an input of each of the delay elements and to a last stage of the delay elements (*e.g.*, delay element DL₁₅). Therefore, the objection to claim 4 is believed to be moot or otherwise overcome. In view of the above, applicants respectfully request that the subject objection be withdrawn.

Claims 8, 10, 11/8 and 12/8 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement for reasons set forth on page 7 of the Office action. This rejection is respectfully traversed.

Applicants respectfully submit that the specification describes the claimed invention in several instances, for example, the paragraphs beginning on page 44 line 22, (page 51, line 15 to) page 53, line 20, and page 57, line 1. After reading the above disclosures, one skilled in the art will be able to make and/or use the invention. Therefore, applicants respectfully submit that the subject rejection is moot or otherwise overcome and request that this rejection be withdrawn.

Claims 4, 5, 8, and 10 - 13 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention for reasons set forth on page 8 of the Office action. In response, applicants wish to thank the examiner for pointing out the informalities in claim 13. New claims 14 to 21 were drafted to carefully avoid similar informalities.

However, applicants respectfully traverse the rejections of claims 4 - 5, 8, and 10 - 12. In the specification, various examples are provided to show that the divided codes are supplied to the correlator in accordance with the order of arrangement in the spreading code. For example, the disclosures provide that a plurality of divided codes C₁-C₁₆ are applied in this order to the correlator 10 (see page 19, lines 18-25; page 20, lines 5-7; page 21, lines 4-21; page 25, lines 10-12; and Fig. 2, *etc.*). Accordingly, claim 4 is adequately supported by the disclosures in the specification. Therefore, applicants respectfully submit that the rejections of claim 4 is moot or otherwise overcome.

With respect to claims 8 and 10 - 12, applicants respectfully refer to their remarks presented in connection with the rejection under 35 U.S.C. § 112, first paragraph, and submit that the subject rejection is believed to be moot or otherwise overcome.

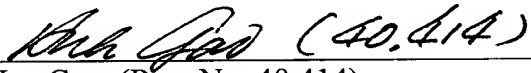
In view of the above, applicants respectfully request that the above rejection be withdrawn.

The Examiner is respectfully requested to allow all claims presented in the subject application and to pass this application to issue. In case the Examiner does not agree with applicants' arguments presented above, applicants respectfully request that the Examiner telephone the undersigned to discuss the remaining issues to expedite the ultimate allowance of this subject application.

No fee is believe to be due for this Amendment. Should any fee be required, please charge such fee to Deposit Account No. 50-2215.

Respectfully submitted,

Dated: February 22, 2005

By  (40,414)
Hua Gao (Reg. No. 40,414)
For: Charles E. Miller (Reg. No. 24,576)

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
1177 Avenue of the Americas
New York, New York 10036-2714
Tel: (212) 835-1400
Attorney for Applicant